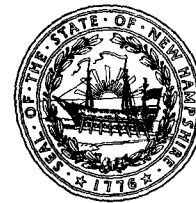




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

Mr. Gary Methot
The Snowflake Inn
PO BOX 675
Jackson, New Hampshire 03846

LETTER OF DEFICIENCY
WMB PBP 06-004
March 17, 2006

Dear Mr. Methot:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Wq 1100 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On March 13, 2006, DES inspected the pool at the Snowflake Inn in Jackson, NH ("the Pool").

During this inspection, the following deficiencies were noted:

1. Env-Wq 1105.10(b)(1) requires a pH between 7.0 and 7.8 in public pool water. The pH of the Pool water was 6.7 on March 13, 2006.
2. Pursuant to Env-Wq 1105.10(b)(3), pool water temperature shall not exceed 89°F. The temperature of the Pool water was 95°F on March 13, 2006.
3. Env-Wq 1104.01 requires the operator to test public bathing facility water for disinfectant residual, pH, and temperature prior to use of a public bathing facility and every 4 hours during operation, to record test results on a dated daily log sheet, and to maintain operational records for the previous twelve months and make these records available to DES and patrons of the public bathing facility upon request. No written records were available at the time of the inspection relative to the required testing of the Pool water.
4. Env-Wq 1104.04(a) requires the following safety devices to be present at all public pools: (1) a light, strong pole not less than 12 feet long to which a body hook has been affixed, and (2) A flotation device capable of supporting an adult, with a throwing/retrieval line, which shall be a rope at least one-quarter inch in diameter and one-half the maximum width of the pool or 50 feet in length, whichever is less. These safety devices were not present at the Pool at the time of inspection.
5. Pursuant to Env-Wq 1104.03(a), the operator shall be responsible for posting conspicuously displayed signs informing patrons of the DES rules relative to patron responsibilities (enclosed copy) and any other safety rules developed by the bathing facility management. Patron rules were not posted at the Pool at the time of the inspection.
6. Pursuant to Env-Wq 1104.03(c), signs shall provide the location of the nearest telephone. The location of the nearest telephone was not posted at the Pool at the time of the inspection.
7. Env-Wq 1105.15(a) states that the owner of a public bathing facility shall plainly and conspicuously mark the depth of water in feet at or above the waterline on the vertical wall of the public bathing facility and on the top of the coping or edge of the deck or walk next to the public bathing facility. The depth of the Pool was not marked on the vertical wall of the Pool.

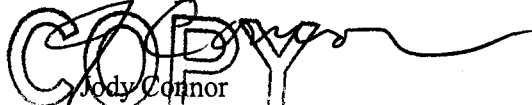
DES believes the cited deficiencies can be corrected within 30 days and requests that you submit a report within 45 days of receipt of this letter that describes the corrective measures taken. The report should include the following:

1. A copy of two weeks of water quality test results for all facilities (please do not send originals).
2. A timetable of when:
 - a. the safety items will be in place;
 - b. the depth will be marked on the vertical wall;
 - c. patron rules will be posted;
 - d. the installation of the telephone or sign indicating location will be completed; and

DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Wq 1101-1105. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

We appreciate your cooperation in this matter. Please contact Tim Wilson at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Wq 1101-1110 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.nh.gov/Pool/>

Sincerely,


Jody Connor
Limnology Center Director

Certified Mail # 7000 1670 0000 0587 7040

Enclosures

cc: Gretchen R. Hamel, Legal Unit Administrator, DES
Tim Wilson, Public Bathing Facility Coordinator, DES
Health Officer, Town of Jackson